

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

NINA LUVONE LOFTIES HOWARD,)
)
Plaintiff,)
)
v.) Case No. CIV-23-325-J
)
CITY OF OKLAHOMA CITY,)
)
Defendant.)

ORDER

Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. No. 2] was referred to United States Magistrate Judge Suzanne Mitchell in accordance with 28 U.S.C. § 636. [Doc. No. 4]. Judge Mitchell submitted a Report and Recommendation recommending that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs be denied and that this case be dismissed without prejudice unless Plaintiff pays the full filing fee within twenty-one days of any order adopting the Report and Recommendation. [Doc. No. 10]. Plaintiff was advised of her right to object to the Report and Recommendation by July 25, 2023. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 10] and DENIES Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. No. 2]. Plaintiff is required to pay the \$402 filing fee in full by August 16, 2023. If Plaintiff

fails to pay the full filing fee by August 16, 2023, this case will be dismissed without prejudice.

IT IS SO ORDERED this 26th day of July, 2023.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE